

03-26-01

[Please type a plus sign (+) inside this box. (+)]

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Attorney Docket No.	1256-00721	Total Pages	27
First Named Inventor or Application Identifier			PRO
Hector F. DeLuca			03/22/01
Express Mail Label No. EL661051149US			03/22/01

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Specification [Total Pages 20]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 USC 113) [Total Sheets]
4. Oath or Declaration [Total Pages]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63(d))
 (for continuation/divisional with Box 17 completed)
 [Note Box 5 below]
 - i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting
 inventor(s) named in the prior
 application, see 37 CFR 1.63(d)(2) and
 1.33(b).
5. Incorporation By Reference (useable if Box 4b is checked). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:
 Continuation Divisional Continuation-in-part (CIP) of prior application No.: /

6. Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))
9. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
10. English Translation Document (if applicable)
11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. Small Entity Statement filed in prior Statement(s) application, Status still proper and desired
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Other: Supplement to Transmittal
.....
.....

18. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label

Insert Customer No. or Attach bar code label here

or Correspondence address below.

NAME	Thomas M. Wozny (Reg. No. 28,922) ANDRUS, SCEALES, STARKE & SAWALL, LLP				
ADDRESS	100 East Wisconsin Avenue Suite 1100				
CITY	Milwaukee	STATE	Wisconsin	ZIP CODE	53202-4178
COUNTRY	U.S.A.	TELEPHONE	(414) 271-7590	FAX	(414) 271-5770

PTO/SB/17		COMPLETE IF KNOWN			
FEE TRANSMITTAL		Application Number			
		Filing Date		Herein	
		First Named Inventor		Hector F. DeLuca	
		Group Art Unit			
		Examiner Name			
Total Amount of Payment	(\$ 710.00)		Attorney Docket Number		1256-00721
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)			
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		3. ADDITIONAL FEES			
Deposit Account Number	01.2000		Large Entity	Small Entity	
Deposit Account Name	ANDRUS, SCEALES, STARKE & SAWALL, LLP		Fee Code	Fee Code	Fee Description
X	Charge any additional fee required under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance. 37 CFR 1.311(b)	105	130	205 65 Surcharge - late filing fee or oath
			127	50	227 25 Surcharge - late provisional filing fee or cover sheet
			139	130	139 130 Non-English specification
			147	2,520	147 2,520 For filing a request for examination
			112	920*	112 920* Requesting publication of SIR prior to Examiner action
			113	1,840*	113 1,840* Requesting publication of SIR after Examiner action
			115	110	215 55 Extension for response within first month
			116	380	216 190 Extension for response within second month
			117	870	217 435 Extension for response within third month
			118	1,360	218 680 Extension for response within fourth month
			128	1,850	228 925 Extension for response within fifth month
			119	300	218 150 Notice of Appeal
			120	300	220 150 Filing a brief in support of an appeal
			121	260	221 130 Request for oral hearing
			138	1,510	138 1,510 Petition to institute a public use proceeding
			140	110	240 55 Petition to revive unavoidably abandoned application
			141	1,210	241 605 Petition to revive unintentionally abandoned application
			142	1,240	242 620 Utility issue fee (or reissue)
			143	440	243 220 Design issue fee
			144	580	244 290 Plant issue fee
			122	130	122 130 Petitions to the Commissioner
			123	50	123 50 Petitions related to provisional applications
			126	240	126 240 Submission of Information Disclos. Stmt.
			591	40	591 40 Recording each patent assignment per property (times number of properties)
			146	710	246 355 Filing a submission after final rejection (37 CFR 1.29(a))
			149	710	249 355 For each additional invention to be examined (37 CFR 1.129(b))
2. <input checked="" type="checkbox"/> Payment Enclosed:		Other fee (specify) _____			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other					
FEE CALCULATION (fees effective 10/01/96)					
1. FILING FEE					
Large Entity	Small Entity	Fee	Fee	Fee Description	
Fee Code	Fee Code	(\$)	(\$)	Paid	
101	710	201	355	Utility filing fee \$710.00	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$ 710.00)					
2. CLAIMS					
Fee From below					
Total claims	7	-	20	=	(13) X =
Independent Claims	1	-	3	=	(2) X =
Multiple Dependent Claims	X			=	
Large Entity	Small Entity	Fee		Fee Description	
Fee Code	Fee Code	(\$)	(\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim	
109	80	209	40	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$ _____)					
SUBMITTED BY					
Complete (if applicable)					
Typed or Printed Name	Thomas M. Wozny			Registration Number	28,922
Signature	<i>Thomas M. Wozny</i>			Date	3-23-01
Deposit Account User ID					

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hector F. DeLuca
Neal A. Jorgenson
Larry D. Satter

Filed Herein for:

INCREASING PHOSPHORUS UPTAKE FROM THE GUT OF DAIRY COWS BY SUPPLEMENTING 1 α -HYDROXYLATED VITAMIN D COMPOUNDS

) **CERTIFICATE OF EXPRESS MAILING**
) I hereby certify that this correspondence is
) being deposited with the United States Postal
) Service with sufficient postage as EXPRESS
) MAIL in an envelope addressed to:
) Commissioner of Patents Washington, D.C.
) 20231 on this 23rd day of March, 2001. The
) Express Mail Label is EL661051149US.

Dorothy A. Hauser March 23, 2001
Dorothy A. Hauser Date

SUPPLEMENT TO TRANSMITTAL LETTER

Box: Patent Application
Commissioner of Patents
Washington, DC 20231

Sir:

This application is being filed pursuant to 35 USC §111 and 37 C.F.R. §1.53(b). The application includes the specification, at least one claim, and the filing fee. The Declaration is not included. The inventors are Hector F. DeLuca residing at 1809 Highway BB, Deerfield, Wisconsin 53531, Neal A. Jorgenson residing at 5979 Woodcreek Lane, Middleton, Wisconsin 53562 and Larry D. Satter residing at 2917 Pelham Road, Madison, Wisconsin 53713, all of which are United States citizens.

The Declaration will be forwarded promptly upon notification from the U.S. Patent and Trademark Office.

Hector F. DeLuca et al

Please address all correspondence and telephone calls regarding this matter to:

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Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By Thomas M. Wozny
Thomas M. Wozny
Reg. No. 28,922

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Attorney Docket No.: 1256-00721

INCREASING PHOSPHORUS UPTAKE FROM THE GUT OF DAIRY COWS BY SUPPLEMENTING 1 α -HYDROXYLATED VITAMIN D COMPOUNDS

Inventors: Hector F. DeLuca
Neal A. Jorgenson
Larry D. Satter

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Attorney Docket No.: 1256-00721
WARF's Ref.: P00194US-D,J,S*

Applicant: Hector F. DeLuca et al

03/22/01
e1033 U.S. PRO
03/09/015573

CERTIFICATE OF EXPRESS MAIL

This is to certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL POST OFFICE TO ADDRESSEE in an envelope addressed to Commissioner of Patents and Trademarks, Washington D.C., 20231 on this 23rd day of March, 2001. The Express Label is EL661051149US.



Dorothy A. Hauser

March 23, 2001

Date

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